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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ORIGINAL
FILE

)	GEN Docket No. 90-314
)	ET Docket No. 92-100
)	
In the Matter of)	RM-1740, RM-7175, RM-7617,
)	RM-7618, RM-7760, RM-7782,
Amendment of the Commission's)	RM-7860, RM-7977, RM-7978,
Rules to Establish New Personal)	RM-7979, RM-7980
Communications Services)	
)	PP-35 through PP-40, PP-79
)	through PP-85

AMERITECH'S REPLY COMMENTS

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SUMMARY

The plethora of Comments filed with the Commission underscore the interest in and importance of prompt, decisive Commission action in order to move PCS from the experimental to the everyday. Ameritech's Two-Tier proposal stands as a clear and reasonable framework, in concert with the FCC's stated goals and needs among the myriad suggestions others have advanced.

- The Two-Tier proposal best meets the Commission's ultimate goal of the widest possible provision of new lower power PCS services as well as cellular-like higher power services.
- LEC and cellular company eligibility for PCS licenses with the fewest limitations supports universality and competitive delivery of services.
- Regulatory parity among wireless service licensees supports competitive delivery of services.
- The Two-Tier spectrum allowances support speed of deployment and diversity of services.
- Mandatory interconnection on reasonable terms for all FCC licensees supports all four goals.
- A 20 MHz spectrum reserve supports diversity of services.
- A short spectrum transition period necessary for high power applications supports speed and breadth of deployment.

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AMERITECH'S REPLY COMMENTS

I. Introduction

The importance of the Commission's Order in this matter can not be overemphasized. The ultimate public benefit from PCS is linked to its timely deployment. The Commission's decision should clearly enunciate its position on the score of issues presented and outline the remaining steps it intends to take (and time frames involved) to bring PCS services to the public. In this manner, customer and network equipment providers, standards bodies, and potential licensees may promptly move toward PCS implementation under a common set of expectations, to the ultimate benefit of the American economy and its consumers. It is most certainly true that if the Commission fails to resolve the issues surrounding PCS in a "methodical, forthright and assertive manner,

international competition in other markets likely will establish de facto standards"¹ to our nation's detriment.

Ameritech's Two-Tier proposal, alone among the alternatives suggested, comprehensively addresses the two separate needs outlined in the NPRM. As shown herein, specific aspects of the Two-Tier proposal best meet the sometimes competing concerns surrounding a single issue.² A brief summary of Ameritech's Two-Tier proposal is contained in Attachment A. In order to aid the Commission's review, Attachment B contains basic rule changes necessary to implement the Two-Tier proposal.

II. Specific Elements of the Two-Tier Proposal Best Meet the Divergent Views Presented.

With over 150 PCS proposals before the Commission, the breadth of recommendations is unsurprising. In several key areas, Ameritech's Two-Tier proposal represents the best alternative when viewed in connection with the Commission's four goals and two stated needs for PCS. The following discussion focuses on these areas and reinforces the fundamental efficacy of the Two-Tier proposal.

¹Barrett, Andrew C., Personal Communication Services: Regulatory Issues and Political concerns, Public Utilities Fortnightly, Nov. 15, 1992, p. 25.

²These Reply Comments will focus on selected issues; given the number and breadth of Comments, the absence of reply should not be taken as acquiescence in the views of other parties.

A. The Two-Tier Proposal Supports New Services and Technologies As Well As Additional Competition to Current Mobile Radio Services

The Commission's NPRM stated that consumer and business interest in new wireless services and technologies is unable to be fully met by current radio equipment and services.³ The proposed Tier 2 lower power licenses address the needs of "services that facilitate contacting an individual rather than a station."⁴

The Commission also noted that PCS might provide additional competition to existing cellular, paging and private radio services.⁵ The proposed Tier 1 higher power licenses address the needs of wider coverage and higher speed hand-off commonly associated with cellular, SMR and paging services.

The Commission's ultimate goal is to "allocate sufficient spectrum and establish rules to allow the widest possible range of such services."⁶ The Two-Tier proposal allows that goal to be achieved. High power services promoting additional wireless competition are established. Lower power, personal home and office services are provided separate spectrum where they might operate free from high power wireless service interference. All services will be provided in a competitive environment. No other proposal addresses the specific needs of the different potential forms PCS may take as comprehensively as the Two-Tier proposal.

³NPRM ¶25.

⁴Id. Included were wireless PBX, higher portable cellular phones, portable fax machines and multi-channel cordless phones.

⁵Id. ¶26.

⁶Id. ¶28.

B. Restraints on License Eligibility Only
Delay PCS Service to the Public

The only eligibility debate involves the narrow issue of a PCS license for current common carriers in existing service territories (wireless and wireline). The rationale for potential exclusion focuses solely on promotion of higher power cellular-like service competition. While no restriction is appropriate, the Two-Tier proposal best circumscribes a temporary license limitation. Cellular *operators* (that is, licensees and/or entities which operate a system, but not non-controlling partners or equity participants) and the operator's local exchange company affiliate would be limited for five years from owning more than 25% of a high power, Tier 1 license in the cellular operator's service territory. This PCS ownership percentage would be subject to adjustment for the inevitable situations of population overlap due to the actual PCS license area chosen and the historic consolidation of cellular service areas. Others recognize the need to temper the potential ownership limitation based on this inevitable overlap.⁷ No restriction from Tier 1 licenses would apply where a serving LEC is not an affiliate of a cellular operator in that PCS area. No restriction to holding Tier 2 lower power licenses would exist for either cellular or landline entities.

Public Service Commissions, federal agencies, manufacturers, SMR providers and even IXC's support LEC provision of PCS in the LEC's present territory.⁸ The Office of Policy and Planning recognizes the economies of scale and scope a LEC would bring to help make PCS the inexpensive, ubiquitous service that is envisioned.⁹ The cellular service experience supports LEC

⁷See Sprint Comments, p. 11; PCN America, p. 7.

⁸III. Commerce Commission Comments, p. 10; NYPSC Comments, pp. 8-9; DOJ Comments, pp. 29-30; NTIA Comments, p. 29; Sprint Comments, p. 13; Rolm Comments, p. 24; Fleet Call Comments, p. 13.

⁹Putting It All Together: The Cost Structure of Personal Communications Services, OPP Working Paper No. 28, November, 1992, pp. 28-32.

eligibility. Cellular implementation and expansion by LEC affiliates occurred as quickly as the FCC licensing process allowed. Wireless customer needs have been met through system upgrades and digital conversion.¹⁰ Finally, the potential for discriminatory conduct in providing access to the PCS system is no greater whether the licensee is a LEC network or a cable network.¹¹ This is why mandatory interconnection obligations for all FCC licensees eliminate the need for admittedly anticompetitive measures such as ineligibility which could reduce the public benefits expected from PCS deployment.

Different parties argue for PCS "set asides" for which, not coincidentally, they would qualify.¹² These should be rejected. Let those who wish to provide PCS obtain a license and make the necessary business arrangements to provide service. Likewise, MCI's comments proposing negative preferences for any entity are best ignored, as such reflect gross inconsistencies in MCI's business practices and strategies over time.¹³

¹⁰Ameritech Mobile will allow the customers to decide which new digital technology they prefer. "Customer's votes sought on two digital technologies," Chicago Tribune, Business Section, November 19, 1992, page 1.

¹¹If anything, the ability to successfully discriminate and cross-subsidize is more likely in non-LEC network providers since they are either lightly regulated or not regulated in their other businesses conducted over the same network.

¹²See Centel Comments, p. 20; CableVision Comments, p. 9; Qualcomm Comments, p. 6; MCI Comments, pp. 15-17.

¹³MCI's proposal lacks any cogent rationale for limiting entry to a class of highly qualified potential providers. MCI's suggestion of a negative preference for a consortium which contains LECs and cellular carriers flies in the face of MCI's own actions when it jointly bid for FTS 2000 with many of these same LECs. MCI's interest in a national wireless license it (presumably) would lead is curious given MCI's early exist of wireless services because, as MCI stated at the time, they did not "fit into our strategy, which is to provide national and international long distance services." "MCI Scraps Agreed Sale of Cellular Unit", Washington Post, July 27, 1985, Section B1.

C. Regulatory Parity Among Wireless Service Providers is Appropriate

A significant number of Comments recognize that regulatory parity among PCS and other wireless licensees is essential. For example, the Department of Justice does not support different effective technical standards or regulatory requirements between PCS and cellular licensees.¹⁴ Some, however, aggressively propose regulatory handicapping, despite its blatant illegality when applied to competitive wireless services. A prime example is the suggestion by Comcast that PCS licensees who are owned by LECs must abide by different rules than other PCS licensees; no "self selection" of carriage status would be allowed and a higher level of regulatory oversight than for any other identical licensee would be imposed.¹⁵ No legal justification is offered because none can be made. Given interconnection safeguards, all PCS licensees and their potential wireless competitors, cellular and SMR, should be treated as non-dominant common carriers in providing communications services.¹⁶

D. Spectrum Allocation Should Favor More Licensees

Some who recommend fewer licenses be awarded in the chosen area typically do so by requesting additional spectrum per license due to interference from existing microwave users.¹⁷ The better answer, from the viewpoint of competitive delivery of services, is more (not fewer) licensees on clearer

¹⁴DOJ Comments, p. 9.

¹⁵Comcast Comments, pp. 34-35. Fleet Call, Inc. also supports a regulatory self-selection process for PCS licensees; should such be granted, cellular operators would have to be given an ability to select their status, also. See Fleet Call Comments, pp. 12-13.

¹⁶The recent decision involving Commission tariffing discretion essentially drives all wireless licensees to a common level of regulation.

¹⁷See Associated PCN Company Comments, pp. 2-4.

spectrum. The Two-Tier proposal provides 4 PCS licenses, each with spectrum sufficient to compete with each other and complementary wireless services.¹⁸

It is highly curious that those who were most optimistic about sharing spectrum appear to find additional allocation per license to be needed. The FCC-proposed high power license concept (which Ameritech endorses as Tier 1 licenses) simply won't work in a "sharing" mode. For example, APC's sharing assumptions appear highly optimistic through the use of Hata Urban analysis, which ignores the higher level of interference likely from wireless use on upper floor in a metropolitan environment. The answer is not to reduce potential competition by issuing fewer, much larger blocks of spectrum with uncertain interference characteristics, but rather to issue multiple licenses and to quickly clear necessary spectrum to be put to PCS use.

Those seeking 40 MHz (or more) of spectrum for a license would harm the public interest in two ways. First, once the licensee cleared their spectrum, it would have a decided capacity advantage over other wireless providers. Second, the PCS licensee would have much less incentive to continue to update and modernize its system and use spectrum efficiently if it was initially awarded with an unnecessarily large allocation. The Two-Tier proposal optimizes the allocations in a manner consistent with the type of service envisioned while recognizing that high power service cannot coexist with microwave uses. Ameritech's forthcoming Comments on proposed Transition Rules will suggest modifications to speed the process and reduce or eliminate barriers to relocation of existing license holders.

¹⁸While the 30 MHz recommended for the higher power Tier 1 license recognizes that "sharing" will be unlikely and that some clearing may remain as PCS operations commence, these licensees will soon hold a real advantage over cellular licensees that can not be ignored.

The Two-Tier proposal also addresses the suggestions of some, usually equipment manufacturers, for significantly more "unlicensed" spectrum.¹⁹ The two low power, 20 MHz licenses complement the recommended 20 MHz "unlicensed" allocation to essentially provide 60 MHz available to address non-cellular-like PCS uses.²⁰ Unlicensed uses are not independent of networks; the 40 MHz allocated to lower power Tier 2 PCS networks effectively provides a backbone support for what otherwise might be unlicensed uses.²¹

The Two-Tier proposal retains 20 MHz in reserve for future disposition. The spectrum is available for additions to unlicensed use or cellular, SMR, Tier 1 or Tier 2 licensees. While the Comments varied significantly, many recognized the appropriateness of a reserve to address the future growth of wireless services.²² The value of PCS to the consumer and nation will be enhanced by initial retention and timely allocation of a reserve to support continued wireless growth. As the Commission correctly concluded, "Demand, not our predictions, should dictate what services eventually operate in the bands we are reallocating in this proceeding."²³

¹⁹Apple Comments, p. 3; Hitachi Comments, p. 2; Northern Telecom, Inc. Comments, p. 3.

²⁰The NPRM's high power licensees make it unlikely that significant lower power uses are developed in the same spectrum due to inevitable interference issues.

²¹Hitachi recommended separate allocations for voice and data. Hitachi Comments, p. 3. The Commission should not allocate wireless spectrum based on a voice/data distinction, which distinction is as technically vacuous as it is unenforceable.

²²See Apple Comments, p. 3; Century Cellnet, Inc. Comments, p. 8; US West Comments, pp. 7-9; McCaw Comments, p. 5; Alltel Comments, p. 16.

²³First Report and Order, Docket 92-9, October 16, 1992, p. 19.

E. The Primary Purpose of PCS is Portable Services.

The key concepts in the Commission's definition of PCS are "mobile" and "portable"; yet, some view the *raison d'etre* of PCS to be primarily a fixed service substitute.²⁴ Ameritech previously suggested that any spectrum to be devoted to *facility* replacement (i.e., a wireless loop for a copper loop) be allocated from a separate band.²⁵ Should PCS spectrum be used as a facility substitute, then principles of regulatory parity would apply to that use by both LEC and non-LEC licensees.²⁶ For this additional reason, no non-structural safeguards are necessary or proper based solely on the identity of the wireless loop-substitute provider.

F. Interconnection Among and Between
All FCC Licensees Should be Required

In the last 15 years, the public communications infrastructure of the United States has undergone a fundamental restructuring and realignment as one communications system has been replaced by multiple networks. The connectivity known as the public network is exploding. The FCC should conclude that *all* of its PCS licensees as a condition of receiving the right to interconnect to any common carrier network, must also *give* interconnection on non-discriminatory terms *to* any other FCC licensee. Section 201(a) of the Act does not operate to impose obligations only on wireline licensees, be they LECs

²⁴See Cox Comments, p. 3.

²⁵Ameritech Comments, p. 20. Since neither mobility nor miniaturization is a requirement for pure, "loop replacement" uses, the Commission should consider allocating spectrum in a higher band (such as 6 GHz) for that specific purpose.

²⁶In this regard, Cox's plea that the Commission impose "an environment where [local exchange] competition can be nurtured" is simply a request for differential regulation favoring one provider over another. Cox Comments, p. 3.

or IXCs. For example, a cellular carrier must have a right to interconnection with a PCS provider to complete customer traffic.

This principle was recognized in the initial Comment phase by various parties such as USTA, NYNEX, the Department of Justice and the Illinois Commerce Commission.²⁷ Comcast recognizes a communication may transit several networks before reaching its destination.²⁸ Without a right granted each licensee to interconnect with all others, a PCS licensee could discriminate in denying traffic from one cellular licensee but not another, or refuse to directly accept traffic from one IXC, but not another.

G. National or LATA-Based Licenses
Would be Highly Inappropriate

The promises advanced for a national license are not likely to be realized. A national license will not foster standards; instead, the licensee will impose them, to the potential detriment of American customers and manufacturers. A national license will not speed PCS deployment, it will simply replace the FCC's local licensing authority and the national standards process with that of a private entity. PCS America's "Consortium" of "franchisees" essentially authorizes private territorial allocation at the pleasure of the license czar. PCS deployment under one national licensee will create *de facto* standards, require no less capital (and perhaps more), and could take longer from license grant than similar deployment nationally by smaller units focused on more manageable local and regional markets.

²⁷USTA Comments p. 35; NYNEX Comments, p. 17; DOJ Comments, p. 30; Ill Commerce Commission Comments, p. 8.

²⁸Comcast Comments, p. 38.

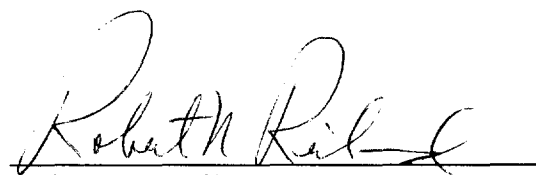
The Commission also should reject LATAs as a licensing area. As early as 1983, the Court overseeing Divestiture decided that LATAs drawn in relation to wireline networks have little relevancy for the provision of wireless services.²⁹ It appears one LATA proponent bases their proposal on the long discredited notion of such an intimate relationship.³⁰ The recommendation of the largest IXC for LATA-size license areas is fundamentally suspect because it most recently argued for an exclusive, non-equal access nationwide license.³¹

III. Conclusion

The Two-Tier proposal addresses the Commission's stated needs and ultimate goal in a manner superior to other alternatives and best serve the public interest and the growing wireless industry. The Commission's Order should adopt the proposal and set forth the specific remaining issues and the intended time frames for resolution in order to promptly implement PCS.

Respectfully submitted,

Ameritech
by its Attorney

A handwritten signature in dark ink, appearing to read "Robert N. Reiland", is written over a horizontal line.

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[RNR020.DOC]

²⁹U.S. vs. Western Electric et al., 578 F. Supp. 643 (D.D.C. 1983).

³⁰Comcast Comments, p. 23.

³¹AT&T's Request for a Pioneer Preference, FCC Docket 90-314, May 4, 1992; AT&T Comments, p. 11.

OVERVIEW OF AMERITECH'S PCS LICENSING PROPOSAL

Ameritech proposes a Two-Tier licensing and service model to optimally fit the Commission's stated needs of providing new and innovative mobile and portable services, and increasing the number of cellular-like services. Two licenses for higher power Tier 1 services in 487 BTAs should be granted, each with 30 MHz of spectrum. Power would be at levels to provide coverages similar to 800 MHz cellular. Two licenses for lower power Tier 2 services of 20 MHz in each BTA would be granted. Twenty MHz would be held in reserve, for future assignment based on customer demand. Twenty MHz would be assigned for "unlicensed" use.

Only cellular operators and wireline affiliates in those cellular service areas would be barred from owning a Tier 1 license, and then only for 5 years after grant. No cellular or LEC exclusions for Tier 2 licenses would exist. Interconnection arrangements should flexibly meet PCS providers' needs. Part 22 and SMR providers should be at regulatory parity with PCS' non-dominant common carriage services. FCC preemption of interconnection arrangements should occur and the Commission should be poised to preempt other state and local actions which would threaten the four PCS regulatory values of universality, speed of deployment, diversity of services and competitive delivery. Structural separation of Part 22 PCS providers should not be required.

In the absence of auction or fee increase authority, lotteries should be used with anti-speculation measures such as irrevocable financial commitments and detailed engineering plans. After lottery selection, a short build-out period would apply, but there would be no transfer restrictions, so that the license ultimately resides with the provider who values the license most.

Proposed PCS Rules

Note: Only those provisions with changes to NPRM provisions are included.

PART 22 - - PUBLIC MOBILE SERVICE

Section 22.930 Alternative technologies and auxiliary services.

Cellular system licensees may employ alternative cellular technologies and may provide auxiliary common carrier services including personal communications services (as defined in §32.3 of Part 99 this chapter, except for the frequency ranges specified therein) on their assigned cellular spectrum (other than that designated for cellular control channels), provide that interference to other cellular systems is not caused.

PART 99 -- PERSONAL COMMUNICATIONS SERVICES

Subpart A - General Information

§ 99.5 Definitions.

Personal Communications Services (PCS). A very broadly defined and flexible radio service that encompasses a wide array of mobile and ancillary fixed communications on frequencies in the 901-902 MHz, 930-931 MHz, 940-941 MHz, 1850-1865 MHz, 1870-1890 MHz, 1930-1945 MHz, 1950-1970 MHz and 1975-1990 MHz bands. This includes all types of voice or data services to be provided to all segments of the U.S. economy.

Subpart B - Applications and Licenses

§ 99.13 Eligibility.

Any entity, excluding a foreign government or a representative of a foreign government, is eligible to hold a license under this part. For five years from the effective date of these rules, no wireline common carrier affiliated with a cellular operator is eligible to be licensed in this Part to hold a Tier 1 license as defined in Subpart C of this Part to provide PCS in the same geographic area in which it provides local exchange telephone service. For five years from the effective date of these rules, no Cellular Radio Service operator is eligible to hold a Tier 1 license in this Part to provide PCS in the same geographic area in which it or any affiliate provides cellular service. Notwithstanding the foregoing, nothing herein shall prevent a wireline common carrier or a Cellular Radio Service operator from holding up to a 25% interest in a Tier 1 PCS license.

§ 99.17 Evaluation of PCS Applications

(1) If a properly filed application for an initial PCS license is mutually exclusive with another such application, the applicants shall be included in the random selection process set forth in Part I, § 1.823 et seq. of these rules.

(2) The Commission shall choose only one applicant in the random selection process. That applicant shall be designated as the tentative selectee pending Commission review of the applicant's qualifications to hold a license.

(3) No applicant, nor real party in interest in an applicant, may have an interest in mutually exclusive applications for any PCS license.

§ 99.19 Content and form of applications. Applications for new stations and applications for or notifications of modified facilities expanding the service area of existing stations must contain the following exhibits:

(1) An exhibit including a map or maps of the PCS system's existing Service Area, if any, and the Service Area proposed in the application. This exhibit shall contain all frequency usage and coordination information. In addition, this exhibit shall include a U.S. Geological survey map with a scale of 1:250,000 depicting the applicant's proposed Service Area.

(2) An exhibit containing the engineering data and calculations used to derive the service contours shown.

(3) An exhibit stating how the proposal complies with the Commission's PCS design concepts, and indicating the applicant's projected method for coordinated expansion of the system in response to changing service demands.

(4) An exhibit indicating the frequency plan to be used if the application is granted.

(5) An exhibit indicating the applicant's service proposals for local subscribers and roamers, including its method of handling complaints. If no change is made in service proposals previously authorized, this exhibit may be omitted.

(6) An exhibit including full particulars regarding the cost of construction of the proposed facilities and their operation for three years and demonstrating how the applicant intends to finance construction and operation. See § 99.21.

(7) An exhibit including full particulars regarding the engineering design of the system, including a statement that to applicant's knowledge, no party has filed a mutually exclusive application using an identical or substantially similar engineering design. In addition, the exhibit must state that the applicant has reasonable assurances that it may use the sites proposed in the application.

(8) An exhibit which shall:

(a) Fully disclose the real party or parties in interest, that are engaged in Wireless Communications Services, including the following information:

(i) A list of its subsidiaries, if any. Subsidiary means any business five percent or more whose stock, warrants, options or debt securities are owned by the applicant or an officer, director, stockholder or key management personnel of the applicant. This list must include a description of each subsidiary's principal business and a description of each subsidiary's relationship to the applicant.

(ii) A list of its affiliates, if any. Affiliates means any business which holds a five per cent or more interest in the applicant, or any business in which a five per cent or more interest is held by another company which holds a five percent or more interest in the applicant.

(iii) A list of the names, addresses, citizenship and principal business of any person holding five percent or more of each class of stock, warrants, options or debt securities together with the amount and percentage held, and the name, address, citizenship and principal place of business of any person on whose account if other than the holder, such interest is held. If any of these persons are related by blood or marriage, include such relationship in the statement.

(b) Demonstrate the applicant's qualifications to hold an authorization.

(c) Submit the information required by the Communications Act, any other statute, the Commission's rules, requests and application forms.

(d) State specifically the reason why a grant of the proposal would serve the public interest, convenience and necessity.

(e) Disclose all applicants (other than publicly-traded corporations) which are parties in interest with any ownership interest in another PCS application for the same market.

(9) Where grant of the application may have a significant environment impact under § 1.1307, the applicant must submit an environmental assessment, see § 1.1311, and Commission environmental review must be completed prior to the construction of facilities. See § 1.1312.

§ 99.21 Demonstration of financial qualifications.

(1) Applications for new PCS systems shall demonstrate the applicant's financial ability to meet the realistic and prudent:

(i) Estimated costs of proposed construction and other trial expenses;
and

(ii) Estimated operating expenses for a period of three years depending upon the nature of service proposed and the degree of business uncertainty risk.

(2) Resources used to demonstrate an applicant's financial ability under paragraph (1) of this section must be irrevocable, must be independent of any other financial commitment, cannot include funds committed to another project, or committed in another PCS application and must be market specified.

(3) Each application shall demonstrate an applicant's financial ability as set forth in subparagraph (1) of this section by submitting the following financial information and whatever other information or details the Commission may require:

(i) A balance sheet current within ninety (90) days of the date of the application and copies of any financial commitments (for example, loan agreements and service contracts) in support of the proposed facilities; and

(ii) Whenever the submissions of paragraph (3)(i) of this section do not satisfy the standard established in paragraph (1) of this section, the applicant shall submit such additional information (e.g., a current income statement, and, for the period of proposed construction plus an initial year of operation, a statement of projected revenues and expenses, a statement of projected sources and application of funds, etc.) as is necessary to demonstrate financial ability.

(iii) The following additional information shall be submitted on any form of intended credit arrangement or equity placement.

(A) The details of any loan or other form of credit management intended to be utilized to finance the proposed construction, acquisition or operation, or operation of the requested facilities including such information as the identity of the creditor (or creditors), letters of commitment and terms of the transaction; and

(B) The details of any sale or placement of any equity or other form of ownership interest.

(iv) The firm financial commitment required above shall be obtained from a state or federally chartered bank or savings and loan association, another

recognized financial institution, or the financial arm of a capital equipment supplier and shall contain a statement that the lender (i) has examined the financial condition of the applicant including audited financial statements where applicable, and has determined that the applicant is creditworthy; (ii) the lender has examined the financial viability of the PCS proposal for which the applicant intends to use the commitment; (iii) that the lender is committed to providing a sum certain to the particular applicant; (iv) that the lender's willingness to enter into the commitment is based solely on its relationship with the applicant; and (v) that the commitment is not in any way guaranteed by any entity other than the applicant.

(v) Applicants intending to rely upon financing obtained through a parent corporation must submit the information required by § 99.21(1)(i) through (iii) above, as the information pertains to the parent corporation.

§ 99.23 Refundable Deposit With Each Application

Each applicant for a PCS license must submit a refundable deposit with its application equal to the sum of one cent (\$0.01) times the population for the BTA covered by the application.

§ 99.25 Transfer or Assignments

There shall be no limitation on the transfer or assignments of PCS authorizations subject to the provisions of the Communications Act of 1934 or any Commission rule promulgated thereunder.

Subpart C - Technical and Operating Requirements

§ 99.405 Frequencies.

Licensed personal communications radio stations will be authorized in the 901-902 MHz, 930-931 MHz, 1850-1865 MHz, 1870-1890 MHz, 1930-1945 MHz, 1950-1970 MHz and 1975-1990 MHz bands. Licenses under this part will be issued based on the following channelizations:

(a) Tier 1A

1850-1865 MHz
1930-1945 MHz

(b) Tier 1B

1895-1910 MHz
1975-1990 MHz

(c) Tier 2A

1870-1890 MHz

(d) Tier 2B

1950-1970 MHz

(e) Other

(1) 901-902/940-941 MHz

(subdivided into 50 kHz spectrum blocks for narrowband operations using various channel bandwidths)

(2) 930-931 MHz

(subdivided into 50 kHz spectrum blocks for narrowband operations using various channel bandwidths)

(3) 1910 - 1930 MHz

(Reserved for future allocation)

§ 99.407 Power/antenna height limits.

Power and antenna height limits are specified for the various frequency bands as follows:

(a) Tier 1 Licenses

Base Stations - 500 watts

Mobile/Portable Stations - 15 watts

(b) Tier 2 Licenses

Base Stations - 3 watts

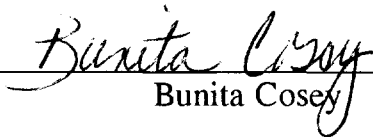
Mobile Stations - 0.25 watts

§ 99.415 Service Areas

The Commission shall grant two (2) Tier 1 licenses and two (2) Tier 2 licenses in each of 487 Basic Trading Areas (BTA) described by Rand McNally.

CERTIFICATE OF SERVICE

I, Bunita Cosey, hereby certify that copies of Ameritech Corporation's Reply Comments were sent on this, the 8th day of January, 1993, by first class United States mail, postage prepaid, to those listed on the attached sheets.


Bunita Cosey

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